

AMENDED IN ASSEMBLY JUNE 14, 2012

AMENDED IN SENATE MAY 25, 2012

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1392**

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**Introduced by Senators Pavley and Rubio**

**(Coauthor: Senator DeLeón)**

(Coauthors: Assembly Members Ammiano, Beall, and Huffman)

February 24, 2012

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An act to add Section 11011.22 to the Government Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1392, as amended, Pavley. Developmental services.

Existing law establishes several developmental centers within the jurisdiction of the State Department of Developmental Services.

This bill would permit the real property within the grounds of a developmental center, as specified, that is determined to no longer meet the needs of the state for directly serving persons with developmental disabilities to be made available for lease and be leased, to generate revenue for deposit into the Californians with Developmental Disabilities Fund, which the bill would create. The bill would require moneys in this fund to be made available, upon appropriation by the Legislature, to the department for purposes of serving persons with developmental disabilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature hereby finds and declares all of  
2 the following:

3     (a) The Lanterman Developmental Disabilities Services Act  
4 states that the State of California accepts a responsibility for  
5 persons with developmental disabilities and an obligation to them  
6 that it must discharge.

7     (b) Some persons with developmental disabilities live in one of  
8 four state-owned and state-operated developmental centers or  
9 participate in the community-based residential program.

10    (c) As demonstrated by developmental centers that the state has  
11 previously closed, including the Stockton, Camarillo, and Agnews  
12 Developmental Centers, upon closure the residents still require  
13 ongoing supports and services, including residential services, as  
14 they transition to community-based housing, programs, and service.

15    (d) The obligation by the State Department of Developmental  
16 Services to meet the housing and other needs of these persons  
17 under the Lanterman Developmental Disabilities Services Act  
18 necessitates thoughtful consideration, including, but not limited  
19 to, the use of a previously closed developmental center property  
20 in any manner possible for the benefit of the population served.

21    SEC. 2. Section 11011.22 is added to the Government Code,  
22 to read:

23    11011.22. (a) Notwithstanding Section 11011, if the real  
24 property within the grounds of Agnews State Hospital, Camarillo  
25 State Hospital, Fairview State Hospital, Lanterman State Hospital,  
26 Porterville State Hospital, Sonoma State Hospital, or Stockton  
27 State Hospital is determined to no longer meet the needs of the  
28 state for directly serving persons with developmental disabilities,  
29 the real property, subject to any lease entered into pursuant to a  
30 statute enacted prior to ~~the effective date of this section~~ *January*  
31 *1, 2013*, may be made available for lease and be leased in order  
32 to generate revenue for deposit into the Californians with  
33 Developmental Disabilities Fund.

34    (b) The Californians with Developmental Disabilities Fund is  
35 hereby created in the State Treasury. Moneys in the fund shall,  
36 upon appropriation by the Legislature, be made available to the  
37 State Department of Developmental Services for purposes of

1 serving persons with developmental disabilities, subject to Section  
2 4688.6 of the Welfare and Institutions Code.  
3 *(c) This section does not modify the requirement that, the*  
4 *department submit a closure plan to the Legislature for approval*  
5 *in accordance with Section 4474.1 of the Welfare and Institutions*  
6 *Code, prior to the closure of a developmental center.*

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